

REMARKS

Claims 1-59 are pending in this application. Claims 60-111 have been cancelled, without prejudice.

The Office Action provisionally rejected claim 1 under the judicially created doctrine of double patenting. The terminal disclaimer filed herewith overcomes this provisional rejection.

Claims 19-21 and 46 were objected to as being allegedly of improper dependent form. Claims 19-21 have been amended to overcome these rejections by reciting structural elements. Claim 46 has been amended to correct a typographical error and to indicate that the recirculation system produces the recited pressure and flow dynamics. However, it is respectfully submitted that the recited pressure and flow dynamics are permissible functional limitations and that claim 46 is therefore in proper dependent form.

Claims 10 and 33 were objected to on the basis of informalities. Claim 33 has been amended to overcome the rejection. It is respectfully submitted that the word "circuitous" in claim 10 is spelled properly; therefore, claim 10 has not been amended.

Claim 11 was rejected under 35 U.S.C. § 112, second paragraph, for allegedly having no antecedent basis for "the pump" in line 2. This rejection is respectfully traversed: claim 10, from which claim 11 depends, recites a pump.

Claim 1 was rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by U.S. Patent Publication No. 2002/0112746 ("DeYoung"). Claims 1-4, 15, 16, 19-22, 44 and 46-50 were rejected under 35 U.S.C. § 102(a) as being allegedly anticipated by WO 01/33613. Claims 6-8, 12, 13, 17, 35, 36, 53, 55, 56, 57 and 59 were objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. All other claims were rejected as obvious over DeYoung and/or WO 01/33613.

The foregoing rejections are respectfully traversed, for reasons including those set forth herein and stated during a telephonic interview between the Examiner and Applicants' attorney on June 23, 2004. Applicants' attorney stated, for example, that the "flow field" recited in claim 1 is a novel feature. However, as agreed during the interview, claim 1 has been amended to recite, in pertinent part:

a recirculation system in fluid communication with the process vessel, said recirculation system comprising at least one flow distribution element configured to allow the supercritical cleaning solution to recirculate through the process vessel such that a flow field is established over at least one surface of a wafer or a plurality of wafers in the wafer support to thereby clean the surface or surfaces that contact the flow field.

Support for this amendment may be found, for example, in Figs. 23-25 and the accompanying discussion on pages 31-33 of the present application. It is respectfully submitted that the art relied upon does not teach, suggest or indicate such flow distribution elements. Therefore, Applicants' attorney believes that claim 1 is allowable over the art relied upon. Because all other pending claims depend from claim 1, all claims are believed to be allowable.

### CONCLUSION

Applicants believe that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,  
BEYER WEAVER & THOMAS, LLP



Roger S. Sampson  
Reg. No. 44,314

P.O. Box 778  
Berkeley, CA 94704-0778  
(510) 495-3201